

State of Texas
County of Brazoria
City of Angleton

The City of Angleton, Texas City Council conducted a Special Meeting at 6 p.m., Tuesday June 14, 2016, with the following in attendance:

Randy Rhyne	Mayor
Hardwick Bieri	Mayor Pro Tem/Councilman Position 1
Williams Tigner	Councilman Position 2
Wesley Rolan	Councilman Position 3
Bonnie McDaniel	Councilwoman Position 4
Cody Vasut	Councilman Position 5

OTHERS PRESENT:

Michael Stoldt	City Manager
Mary Kay Fischer	City Attorney
Shelly Deisher	City Secretary
Susie Hernandez	Finance Director
Jeff Sifford	Interim Public Works Director
Karen Barclay	Building Services Dept. Supervisor

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR RHYNE at 6:00 p.m. Declare a quorum.
2. Pledge of Allegiance.
3. Moment of Silent Reflection/Prayer.
4. PRESENTATION: Brazoria County Library 75th Diamond Jubilee Proclamation.
5. Citizens Wishing to Address Council:

Larry Shaefer: reported on decal program. Gave out 50+. Prosperity Bank, King Dollar, Quick Lube, Red Top and other locations have put them on their doors or on their cars. Item 26 is an item dear to his heart.

Roger Collins: In 1907, Commissioner's Court received a request that Angleton Drainage District be formed. This petition was complete with the description of the ditch boundaries by metes and bounds and it was signed by a large group of future leaders of Angleton. Many of those petitioners were future mayors or councilmembers. In fact, the first Mayor of Angleton was a petitioner. The District was formed in 1908 and in 1917 the levee was completed. This levee has saved our city from flood waters many times and feels like we need to appropriately recognize the leadership and foresight of these individuals because that is what we all strive for when we decide to run to leave things better than what we found them. Those men hit it out of the park. Should think about coming up with a way to recognize their leadership and foresight.

6. Requests to Address Council Other Than Citizenry: none.

7. Discussion and Possible Action on RESOLUTION NO. 2016-R-6B; A RESOLUTION APPROVING ISSUANCE UP TO A MAXIMUM AMOUNT OF \$22,695,000 BRAZOSPORT WATER AUTHORITY WATER SUPPLY SYSTEM REVENUE BONDS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Motion by Councilwoman McDaniel to approved Resolution No. 2016-R-6B:

Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

8. Discussion and Possible Action on the Final Plat for the Tropoli Townhomes, a Subdivision Plat of a 1.8878 acre tract situated in the J de J Valderas Survey, A-380, Brazoria County, Texas, located at the northeast corner of Henderson Road and Valderas Street.

Motion by Mayor Pro Tem Bieri to approve the Tropoli Townhomes Plat as presented;

Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

9. Public Hearing on a Request to Extend the Current Specific Use Permit located at 1100 East Mulberry Street, Suites B, C, D, and E to Include an "Outdoor Activity Space" at the Rear of the Child Day Care.

Motion by Councilman Tigner- to open the public hearing;

Second by Councilman Vasut.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against this matter. Kay Griggs, applicant for the SUP, spoke regarding this matter.

Motion by Councilman Rolan to close the public hearing;

Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

10. Discussion and Possible Action on ORDINANCE NO. 2016-O-6G; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO ALLOW AN 'OUTDOOR ACTIVITY SPACE' AT THE REAR OF THE PERMITTED CHILD DAY CARE (BUSINESS) IN A C-OR-COMMERCIAL-OFFICE/RETAIL DISTRICT ZONED PROPERTY LOCATED AT 1100 EAST MULBERRY STREET, SUITES B, C, D, AND E, IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Councilman Tigner to approve ORDINANCE NO. 2016-O-6G with conditions of hours of operation from 6 am to 12 am and the expiration of this specific use permit the same day as the original Specific Use Permit on April 4, 2017 with one year renewals thereafter;

Second by Councilman Vasut.

Motion passes with 6 for; 0 against; 0 absent.

11. PUBLIC HEARING ON AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS.

Motion by Councilman Rolan to open the public hearing;
Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against this matter.

Larry Shaefer stated that if we amend the Commercial General and so on next to residential, how will that affect the residential properties that are next to...adjacent to...would that be a special hearing or what? Doesn't think residences would like to have a micro-winery next to them.

Michael Stoldt: This is a special use permit, not by right. Will have public hearings and give others a chance to speak.

Motion by Mayor Pro Tem Bieri to close the public hearing;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

12. Discussion and Possible Action on ORDINANCE NO. 2016-O-6A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE ZONING ORDINANCE BY ADDING "MICRO WINERY" AS A SPECIFIC USE PERMIT IN AREAS ZONED COMMERCIAL-GENERAL, COMMERCIAL-OFFICE/RETAIL AND LIGHT INDUSTRIAL; ADDING A DEFINITION FOR "MICRO WINERY"; AND AMENDING THE REQUIREMENTS FOR "SIGHT VISIBILITY" AT INTERSECTIONS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Mayor Pro Tem Bieri to approve Ordinance No. 2016-O-6A;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

13. Public Hearing on a Request for a Specific Use Permit to Operate a Micro Winery at 1014 North Velasco Street with a Legal Description of AO380 J de J Valderas, Tract 99E2, Acres 0.210 in Brazoria County, Texas.

Motion by Councilwoman McDaniel to open the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against this matter.

Motion by Councilman Tigner to close the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

14. Discussion and Possible Action on ORDINANCE NO. 2016-O-6F; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A MICRO WINERY IN A C-G – COMMERCIAL-GENERAL DISTRICT ZONED PROPERTY LOCATED AT 1014 NORTH VELASCO STREET, IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Councilwoman McDaniel to approve Ordinance No. 2016-O-6F;
Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

15. Public Hearing on a Request for a Specific Use Permit to Operate a Child Day Care (Business) at 921 East Mulberry Street, with a legal description of Wilshire (Angleton), Block 4, Lot 20 (W/46.98')-NE/30.26' Lot 21; and 911 East Mulberry Street, with a Legal Description of Wilshire (Angleton), Block 4, Lot 23-24-W/12.5' Lot 22-E/53.61' Lot 5.

Motion by Mayor Pro Tem Bieri to open the public hearing;
Second by Councilwoman McDaniel.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against this matter.

Kay Griggs spoke regarding her intentions for this location.

Motion by Councilman Rolan to close the public hearing;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

16. Discussion and Possible Action on ORDINANCE NO. 2016-O-6E; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A CHILD DAY CARE (BUSINESS) IN C-OR – COMMERCIAL-OFFICE/RETAIL DISTRICT ZONED PROPERTY LOCATED AT 921 EAST MULBERRY STREET, WITH A LEGAL DESCRIPTION OF WILSHIRE (ANGLETON), BLOCK 4, LOT 20 (W/46.98’)-NE/30.26’ LOT 21 AND 911 EAST MULBERRY STREET, WITH A LEGAL DESCRIPTION OF WILSHIRE (ANGLETON), BLOCK 4, LOT 23-24-W/12.5’ LOT 22-E/53.61’ LOT 5, IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Councilman Rolan to approve Ordinance No. 2016-O-6E with conditions that 911 East Mulberry must be owned by the daycare and reserved for daycare use, no pick up and drop off of children at 921 East Mulberry, reserve a 15’ wide access easement for emergency purposes (driveway on East side of building) and remain unblocked and parking lots and internal roads must be paved and parking spaces must be striped prior to issuance of certificate of occupancy;

Second by Councilwoman McDaniel.

Motion passes with 6 for; 0 against; 0 absent.

17. Public Hearing on a Request for Renewal of a Specific Use Permit to Operate an Amusement Redemption Machine Game Room at 1501 South Velasco Street, Angleton, Texas.

Motion by Councilman Tigner to open the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for, or against this matter.

No one wished to speak.

Motion by Councilwoman McDaniel to close the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

18. Discussion and Possible Action on ORDINANCE NO. 2016-O-6H; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A RENEWAL OF A SPECIFIC USE PERMIT TO CONTINUE TO ALLOW OPERATION OF AN AMUSEMENT REDEMPTION MACHINE GAME ROOM AT 1501 S. VELASCO IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE;

PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

No representative was present to discuss this matter. Michael Stoldt discussed that before the initial Specific Use Permit was issued, they had to comply with parking lot regulations, detention and other items before the Certificate of Occupancy was issued and those were met. Discussion was made about the last raids that were made on game rooms. Council was wondering if this game room was shut down. Mr. Stoldt explained their current SUP was expired. They applied for this renewal before the expiration and are being allowed to operate until council decides on the new SUP.

Motion by Councilman Vasut to table discussion and possible action on Ordinance No. 2016-O-6H until the next city council meeting and allow them to operate until the next meeting;
Second by Mayor Pro Tem Bieri.

Motion passes with 5 for; 1 against (Rolan); 0 absent.

19. Public Hearing on a Request for a Specific Use Permit to Operate a Child Day Care (Business) at the Southwest Corner of East Cedar Street and North Downing Street, with a Legal Description of 0.9204 Acres of Land out of Tract 9B1, Bryan and Kiber Subdivision, I. T. Tinsley Survey, Abstract 375, in Brazoria County, Texas.

Motion by Councilman Tigner to open the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against this matter.

Christi Beard is the person wishing to open the day care and she explained her intentions to council.

Motion by Councilman Tigner to close the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

20. Discussion and Possible Action on ORDINANCE NO. 2016-O-6D; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO ALLOW THE OPERATION OF A CHILD DAY CARE (BUSINESS) IN A C-OR-COMMERCIAL-OFFICE/RETAIL DISTRICT ZONED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF EAST CEDAR STREET AND NORTH DOWNING STREET, WITH A LEGAL DESCRIPTION OF 0.9204 ACRES OF LAND OUT OF TRACT 9B1, BRYAN AND KIBER SUBDIVISION, I. T. TINSLEY SURVEY, ABSTRACT 375, IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Councilman Tigner to approve 2016-O-6D;
Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

21. Public Hearing on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Mayor Pro Tem Bieri to open the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against this matter.
No one wished to speak.

Motion by Councilman Rolan to close the public hearing;
Second by Councilman Vasut.

Motion passes with 6 for; 0 against; 0 absent.

22. Discussion and Possible Action on ORDINANCE NO. 2016-O-6B; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ZONING, SECTIONS 28-24, 28-41, 28-46, 28-47, 28-52, 28-53, 28-81, 28-105, 28-106 AND 28-112 TO CORRECT INCONSISTENCIES AND GRAMMAR, REORGANIZE CHARTS AND ALPHABETIZE DEFINITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Councilman Rolan to approve Ordinance No. 2016-O-6B;
Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

23. Discussion and Possible Action on Re-appointing William Jackson, Chris Peltier and Charlyn Rogers to the Angleton Better Living Corporation.

Motion by Councilwoman McDaniel to approve reappointing William Jackson, Chris Peltier and Charlyn Rogers to Angleton Better Living Corporation;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

24. Discussion and Possible Action on Motion Approving Amendment to City Attorney Employment Agreement and Authorizing the Mayor to Execute the Amendment.

Motion by Councilman Rolan to approve the amendment to city attorney employment agreement and authorizing the mayor to execute the amendment;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

25. Discussion and Possible Action on RESOLUTION NO. 2016-R-6A; A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, STATING THE CITY OF ANGLETON'S INTENT TO PARTICIPATE IN TAX ABATEMENT AND ESTABLISHING THE GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENTS IN A REINVESTMENT ZONE CREATED IN THE CITY OF ANGLETON.

Motion by Councilwoman McDaniel to approve Resolution No. 2016-R-6A;
Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

26. Discussion and Possible Action on ORDINANCE NO. 2016-O-6I; AN ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE II, CITY COUNCIL, BY CHANGING SEC. 2-34, COUNCIL PROCEEDINGS, DESCRIBING THE ORDER OF BUSINESS FOR REGULAR COUNCIL MEETINGS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Council discussed several options and reasons for or against prayer during council meetings.

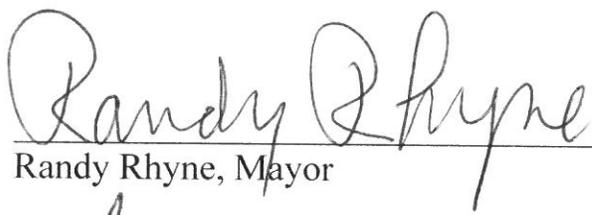
Motion by Councilman Vasut to approve Ordinance No. 2016-O-6I to read as follows:

Invocation led by the mayor: If the mayor desires to delegate the leading of the invocation, then the mayor shall designate a willing member of the city council to lead the invocation. If the mayor and no member of the city council are willing to lead the invocation, then a moment of silent reflection or prayer shall be observed instead;
Second by Councilman Tigner.

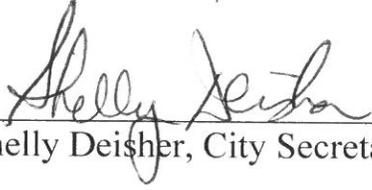
Motion passes with 5 for; 1 against (McDaniel); 0 absent.

27. Council did not adjourn into Executive Session.

28. Adjourn at 8:20 p.m.



Randy Rhyne, Mayor



Shelly Deisher, City Secretary